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February 6, 2013

VIA ECF

Honorable James Orenstein
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Adrienne M. Hollander

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Reference Number
030136.00009

Re: Phoenix Beverages, Inc. et al., v. Exxon Mobil Corporation et al.
Case No.: 1:12-cv-03771-RRM-JO

Dear Judge Orenstein:

I write on behalf of Defendants in the above referenced matter. Pursuant to Your Honor's Individual Practice Rule III.C.1.b, Defendants are filing this letter to provide the Court with notice of the adjournment and extension of the briefing schedule set forth in Your Honor's January 25, 2013 Order for Defendants' Motion to Disqualify Plaintiffs' counsel and Defendants' Motion asserting that the matter of *DMJ Associates LLC v. Capasso*, 97-cv-7285 (DLI) (RML) is a related case. Plaintiffs have consented to this adjournment. The agreed-upon dates are as follows:

- The date for Defendants to serve their moving papers and exhibits on Plaintiffs' counsel via electronic mail will be adjourned from February 8, 2013 to February 13, 2013;
- The date for Plaintiffs to serve their opposition papers and exhibits on Defendants' counsel via electronic mail will be adjourned from March 8, 2013 to March 13, 2013;
- The date for Defendants to serve their reply papers and exhibits on Plaintiffs' counsel via electronic mail will be adjourned from March 22, 2013 to March 27, 2013.

Respectfully submitted,



Adrienne M. Hollander

AMH/agr

cc: Counsel of Record (via ECF)

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